

IN THE DRAWINGS:

The attached sheet of drawings includes changes to Figure 2. This sheet, which includes Figures 1-3, replaces the original sheet including Figures 1-3. In Figure 2, reference character 25 has been added to indicate a sensor member.

Attachment: Replacement Sheet

REMARKS

This is intended as a full and complete response to the Office Action dated February 13, 2009, having a shortened statutory period for response extended one-month set to expire on June 13, 2009. Please reconsider the claims pending in the application for reasons discussed below.

Claim Objections

The Examiner objected to claim 17 due to informalities. Applicant has amended claim 17 accordingly. Therefore, Applicant respectfully requests the objection to the claim be removed.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejected claims 1, 2, 11, 12, 17, 18 and 20 under 35 U.S.C. § 102(b) as being anticipated by Hundtofte (U.S. 3,608,751). In response, Applicant has amended independent claims 1 and 2.

As amended, claims 1 and 2 include the limitation that each damper member forms a loop that extends in a radial direction away from the center member toward an inside diameter of the tube. Hundtofte fails to disclose this limitation. Hundtofte merely discloses a catalyst loading device having blades 2 with flat surfaces 4 that are mounted on a line 1 and located in a catalyst tube T. (See Hundtofte, Figures 1-2).

As the foregoing illustrates, Hundtofte fails to teach or suggest all the limitations of claims 1 and 2. This failure precludes Hundtofte from rendering claims 1 and 2 obvious. Applicant therefore submits that claims 1 and 2 are in condition for allowance and respectfully request withdrawal of the 102(b) rejection. Additionally, the claims that depend from claims 1 and 2 are allowable for at least the same reasons as claims 1 and 2.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claims 3-5 under 35 U.S.C. § 103(a) as being unpatentable over Hundtofte and Minami (U.S. 5,795,550). In response, Applicant has amended claim 3 to depend from claim 2.

As amended, claim 3 includes the limitation that each damper member forms a loop that extends in a radial direction away from the center member toward an inside diameter of the tube. The combination of Hundtofte and Minami fails to disclose this limitation. The disclosure of Hundtofte was recited above. Minami discloses a catalyst packing apparatus 20 having a catalyst ejector 30 that distributes the catalyst (see Minami, Figure 1). Minami fails to cure the deficiencies of Hundtofte.

As the foregoing illustrates, the combination of Hundtofte and Minami fails to teach or suggest all the limitations of claim 3. This failure precludes the combination of Hundtofte and Minami from rendering claim 3 obvious. Applicant therefore submits that claim 3 is in condition for allowance and respectfully requests withdrawal of the 103(a) rejection. Additionally, the claims that depend from claim 2 are allowable for at least the same reasons.

The Examiner rejected claims 8-10 and 14-16 under 35 U.S.C. § 103(a) as being unpatentable over Hundtofte and Ryntveit (U.S. 5,247,970). Applicant respectfully traverses the rejection. Claims 8-10 and 14-16 depend from claims 1 and 2, respectively. As set forth above, Hundtofte fails to disclose all the limitations of claims 1 and 2. Further, Ryntveit fails to cure the deficiencies of Hundtofte. Therefore, the combination of Hundtofte and Ryntveit fails to render claims 8-10 and 14-16 obvious. Applicant respectfully requests the 103(a) rejection of claims 8-10 and 14-16 be removed and allowance of the same.

The Examiner rejected claims 13 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Hundtofte. Applicant respectfully traverses the rejection. Claims 13 and 19 depend from claims 1 and 2, respectively. As set forth above, Hundtofte fails to disclose the limitation that each damper member forms a loop that extends in a radial direction away from the center member toward an inside diameter of the tube, as recited in claims 1 and 2. As stated in at least paragraph [0016] of the pending application, the shaping of the damper member can be adapted to the material (such as catalyst of varying sizes) to be filled in a tube and the size of the tube. Applicants therefore submit that each damper member forming a loop would not have been an obvious matter of

design choice in view of the blades 2 with solid flat surfaces 4 of the device shown in Figures 1 and 2 of Hundtofte. Therefore, Hundtofte fails to render claims 1 and 2, and thus claims 13 and 19, obvious. Applicant respectfully requests the 103(a) rejection of claims 13 and 19 be removed and allowance of the same.

Allowable Subject Matter

The Examiner objected to claims 6 and 7 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. In response, Applicant has rewritten claims 6 and 7 as new claims 21 and 22. Therefore, Applicant believes that new claims 21 and 22 are in condition for allowance and respectfully request the same.

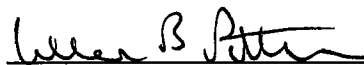
New Claims

New claims 23-32 have been added to claim aspects of the present invention. Applicant submits that no new subject matter has been added. Claims 23-32 depend from at least one of claims 1 and 2, and these claims are allowable for at least the same reasons. Therefore, Applicant believes that new claims 23-32 are in condition for allowance and respectfully request the same.

Conclusion

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully requests that the claims be allowed.

Respectfully submitted,



William B. Patterson
Registration No. 34,102
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicant